

**REMARKS/ARGUMENTS**

***2. Claim Rejections Under 35 U.S.C. §102***

The Examiner rejected claims 1,2, and 5 under 35 U.S.C. §102(b) as being anticipated by Xiao (U.S. Patent 6,505, 932) (“Xiao”) and also that the limitations in these claims are shown in Xiao’s Figure 1, columns 3-4. According to the Examiner, Xiao discloses a primary spectacle frame assembly comprising: an eyerim (151); a first end piece (13) and a second end piece (14) attached to and extending from a first outer side and second outer side of said eyerim; a first rimblock (17) and a second rimblock (18), a bridge (111) attached to and connecting the inner sides of said eyerim; a first temple (112); and a second temple (113).

**RESPONSE**

Applicant respectfully submits that claims 1, 2 and 5 are not anticipated by Xiao. The Examiner fails to provide a reasonable basis for stating that the Xiao reference discloses applicants’ invention. The first end piece 13 and second end piece 14 in the Xiao reference are of a completely different structure than those claimed in claims 1, 2 and 5. Further, applicant claims a limitation that a primary spectacle frame wherein the two primary spectacle frame lenses are constructed of transparent material. Xiao’s Figure 1 fails to disclose that the primary spectacle frame lenses are constructed of transparent material to place the matter in the public domain.

**3. *Claim Rejections Under 35 U.S.C. §102***

The Examiner rejected claims 8-13,20,23,26,27,30, and 32 under 35 U.S.C. §102(b) as being anticipated by Martin (U.S. Patent 5,867,244) (“Martin”), and also that the limitations in these claims are shown in Martin’s Figs. 1,2. According to the Examiner, Martin discloses an auxiliary clip-on assembly comprising: a plurality of auxiliary clip-on lenses, a rear vertical surface; and a first and second end piece retainers 40,42.

**RESPONSE**

Applicant respectfully submits that claims 8-13,20,23,26,27,30, and 32 are not anticipated by Martin. The Examiner fails to provide a reasonable basis for stating that the Martin reference discloses applicants’ invention. The clip-on assembly in the Martin reference operates in a completely manner and encompasses a different structure than that claimed in claims 8-13,20,23,26,27,30, and 32.

The Martin clip contacts areas of the primary frame, for example the eyerim, that applicant’s invention are intentionally design not to contact. Therefore, the Examiner minimizes the significance of applicant’s design and groups the applicants’ invention with a differing and less functional genre of clip-on.

**4. *Claim Rejections Under 35 U.S.C. §102***

The Examiner rejected claims 8, 15, and 16 under 35 U.S.C. §102(b) as being anticipated by Sadler (U.S. Patent 5,416,537) (“Sadler”), and also that the limitations in these claims are shown in Sadler’s Figs. 1-3. According to the Examiner, Sadler discloses an auxiliary clip-on assembly comprising: a plurality of auxiliary clip-on lenses, a rear vertical surface; and a first and second end piece retainers 17.

**RESPONSE**

Applicant respectfully submits that claims 8, 15, and 16 are not anticipated by Martin. The Examiner fails to provide a reasonable basis for stating that the Martin reference discloses applicants' invention. The clip-on assembly in the Martin reference operates in a completely different manner and encompasses a different structure than that claimed in claims 8-13,20,23,26,27,30, and 32.

***5. Claim Rejections Under 35 U.S.C. §102***

The Examiner rejected claims 33-40 and 43-65 under 35 U.S.C. §102(b) as being anticipated by Lee (U.S. App. 2001/0021001) ("Lee"), and also that the limitations in these claims are shown in Lee's Figs. 1,2,6-8 (pages 2-3). According to the Examiner, Lee discloses an eyeglass device comprising: a primary spectacle frame assembly 100 for supporting primary lenses 101 therein, said primary spectacle frame assembly including two side portions each having an end piece extended therefrom for pivotally coupling a temple thereto, said primary spectacle frame assembly including a front portion, a rear portion, an upper portion, a lower portion, a top portion, a bottom portion and two side portions.

**RESPONSE**

Lee relates to a method and device for coupling spectacles and clip-on sun shades with each other. Lee discloses spectacles 100 having a first lens frames 102 which are connected together by a first nose frame 103. Lee further discloses clip-on sun shades 150 having a second set of lens frames 152 which are connected together by a second nose frame 153. The clip-on

shades 150 is coupled to the spectacles 100 by using soft magnetic members and permanent magnets.

Applicants respectfully submit that claims 33-40 and 43-65 are not anticipated by Lee. Furthermore, the Examiner fails to provide a reasonable basis for stating that the Lee reference discloses the applicants' invention sufficiently to place the matter in the public domain. The Applicant contends that the examiner fails to establish a *prima facie* case of anticipation, due to the fact that the Lee reference fails to teach or enable each of the claimed elements, either expressly or inherently, as interpreted by one of ordinary skill in the art as required under 35 U.S.C §102.

Specifically also, regarding claim 35, Applicant respectfully submits that the subject matter claimed within present invention patentably distinguishes over Lee. The Examiner contends that the limitations in claim 35 are anticipated by Lee and are shown in Lee's Figures 1, 2, 6-8 (pages 2-3). However, the specification and figures of Lee discloses a two-part attachment system of the auxiliary frame to the primary frame, wherein Applicant claims and discloses a one-part attachment system. In Figure 1, Lee depicts a permanent magnet feature (200) attached to the nose frame of a primary frame (102) that is coupled with a soft magnetic member (210) attached to the nose frame of an auxiliary frame. In Figure 2, Lee depicts permanent magnet feature (200) attached to the side portions of a primary frame (102) that is coupled with soft magnetic members (210) attached to the side portions of an auxiliary frame. In Figure 6, Lee depicts a frontal hinge (210) attached to a primary frame (102) that is coupled a hinge member (220) attached to an auxiliary frame. In Figure 7, Lee depicts a receiving member (300) attached to a primary frame (102) that is coupled with a inserting member (301) attached to an auxiliary frame.

Lastly, in Figure 8 Lee discloses an inserting member (410) and receiving extruder (400). However, Applicant's claim 35 does not provide for the limitation that the primary spectacle have such a permanent magnet features, frontal hinge features, receiving features, inserting members or any other such feature specifically designed, manufactured, or assembled to the primary frame so as to allow for coupling to an auxiliary frame. On the contrary, Applicant's invention discloses end piece retainers which are affixed only to the backside of the auxiliary spectacle frame which then attach directly to the side portions of an ordinary primary frame. Thus, the requirement that the primary spectacle be specifically designed, manufactured, and assembled to allow for attachment to an auxiliary spectacle frame is eliminated.

With regarding claim 36, applicants respectfully submits that the subject matter claimed within present invention patentably distinguishes over Lee. The Examiner contends that the limitations in claim 36 are anticipated by Lee and are shown in Lee's Figures 1, 2, 6-8 (pages 2-3). However, the Lee invention fails to disclose the limitation that end piece retainers extend rearwardly, as in Applicants invention. Lee discloses that the clip-on sun shades comprise of a permanent magnet and a soft magnetic member "at a preset position in a manner such that soft magnetic member can be mated with the permanent magnet." [Lee Column 3, lines 15]. However, the present invention claims that the "first and second end piece retainers extend rearwardly." [Applicant claim 36]. In Figure 1, Lee depicts an attachment feature on the side portion of an auxiliary frame that fails to extend rearwardly, in any respect. In Figure 2, Lee depicts a permanent magnet member and a soft magnet member but fails to clearly disclose as to which feature is in extension, i.e whether the permanent magnet member of the primary frame is extending forward to couple with the soft magnet member of the auxiliary frame, or whether the soft magnet member of the auxiliary frame extends rearwardly to couple with the permanent

magnet member of the primary frame. In Figure 6, Lee depicts a hinge member (220) attached to an auxiliary frame (102) but fails to disclose that the hinge member extends rearwardly from the auxiliary frame toward the primary frame (102).

Likewise, in Figure 7 Lee depicts an inserting member (301) attached to an auxiliary frame, but fails to disclose that the inserting member (301) extends rearwardly from the auxiliary frame toward the primary frame. Lastly, in Figure 8 Lee discloses a hook shaped inserting member (410) attached to an auxiliary frame, but fails to disclose that the inserting member (410) extends rearwardly from the auxiliary frame toward the primary frame. Therefore, Figures 1, 2, 6-8 on pages 2-3 does not teach or enable one of ordinary skill in the art the claimed element of Applicants invention that the “first and second end piece retainers extend rearwardly.” (Applicant’s Claim 36). Additionally, the end piece retainers as claimed by Applicant is neither expressly or inherently disclosed by Lee to extend rearwardly, but simply are in a position so that it can be mated with the permanent magnet of the end piece retainers, as shown in Figures 1,2,6-8 on pages 2-3.

With respect to claim 37, the Examiner erroneously states the limitations disclosed, that the first and second end piece retainers are secured to the rear portion of said auxiliary clip-on assembly, are shown in Lee’s Figs. 1,2,6-8 (pages 2-3). However, the specification and figures of Lee only disclose that the end piece retainer features are secured to the sides of auxiliary frames, not the rear portion as disclosed in Applicants invention.

In Figure 1, Lee depicts an attachment feature on the side portion of an auxiliary frame that fails to extend rearwardly, in any respect. In Figure 2, Lee depicts a permanent magnet member and a soft magnet member but fails to clearly disclose as to which feature is in extension, i.e whether the permanent magnet member of the primary frame is extending forward

to couple with the soft magnet member of the auxiliary frame, or whether the soft magnet member of the auxiliary frame extends rearwardly to couple with the permanent magnet member of the primary frame. In Figure 6, Lee depicts a hinge member (220) attached to an auxiliary frame (102) but fails to disclose that the hinge member extends rearwardly from the auxiliary frame toward the primary frame (102). Likewise, Figure 7 Lee depicts an inserting member (301) attached to an auxiliary frame, but fails to disclose that the inserting member (301) extends rearwardly from the auxiliary frame toward the primary frame. Lastly, in Figure 8 Lee discloses a hook shaped inserting member (410) attached to an auxiliary frame, but fails to disclose that the inserting member (410) extends rearwardly from the auxiliary frame toward the primary frame.

The Examiner erroneously states that in claim 38, the clip-on assembly possesses a rearwardly concave arcuate shape are disclosed by Lee. In the specification or figures, Lee fails to disclose that the auxiliary spectacle frame is concave arcuate in shape. Lee discloses an auxiliary frame, however the entire specification and all the figures depicting the auxiliary frame as flat and planar in shape. As shown in Figure 1, Lee discloses an auxiliary frame 152 that is flat and has no curvature in either the vertical or horizontal planes. The planar shape of the auxiliary frame is further illustrated in Figure 2, since the distance between the primary and auxiliary frame is constant from the top of the lens frame to the bottom of the lens frame, when observing the side view of the assembly.

The Examiner erroneously states that the limitations in claim 39, that the first and second end piece retainers possess a rearwardly concave arcuate shape are disclosed by Lee. In the specification or figures, Lee fails to disclose that the first and second end piece retainers is concave arcuate in shape.

With respect to claim 40. The Lee invention does not disclose that the auxiliary clip-on assembly, the clip-on shades in Lee's disclosure, is a one-piece assembly but rather as a set of lens frames connected together by a second nose frame. "The clip-on sun shades 150 have second lens frames 152 which are connected together at their inner ends by a second nose frame." U.S Pat. App. (2001/0021001) Column 3, lines 29. The present invention is directed toward an eyeglass device comprising an auxiliary clip-on assembly "wherein said auxiliary clip-on assembly is one piece," rather than a set of lens frames connected together by a second nose frame.

#### ***6. Claim Rejections – 35 U.S.C. §102***

The Examiner rejected claims 33, 34, 41, and 42 under 35 U.S.C. §102(b) as being anticipated by Huang (6,113,234). According to the Examiner, the limitations in claims 33, 34, 41, and 42 are shown in Huang's Figs. 1, 2, column 2. According to the Examiner, Huang discloses an eyeglass device comprising: a primary spectacle frame assembly 10 for supporting primary lenses 23 therein, said primary spectacle frame assembly including two side portions each having an end piece extended therefrom for pivotally coupling a temple 11 thereto, said primary spectacle frame assembly including a front portion, a rear portion, an upper portion, a lower portion, a top portion, a bottom portion and two side portions. Further, according to the Examiner, regarding claims 41 and 42, the frame in the auxiliary frame inherently includes a torsion bar.

#### **RESPONSE**

With respect to Huang, the auxiliary frame is described as a one cast piece which is very limiting. Further, Huang embodies “hooks” to fit into the recessed notches in the primary frame. Moreover, due to the attachment requirements, the Huang invention will not work in the case of round wire type temples which are about one millimeter in diameter. In the Huang invention, repeated attachment and detachment will mar and/or scratch the sides of the primary spectacle frame where the hooks slide against it to fit into the notches. The Huang invention is further limited due to the fact that the Huang invention does not allow for an auxiliary frame that is larger in width than the primary frame width.

On the other hand, the present invention requires no modification of the usual and customary primary frame – such as the presence of recessed notches in the primary frame of Huang. Further, the end piece retainers of the auxiliary frame will not damage the primary frame unlike the Huang invention. The primary frame of the present invention can accommodate auxiliary frames which are larger than the primary frame. The present invention is clearly distinguished from Huang.

#### ***7. Claim Rejections – 35 U.S.C. §102***

The Examiner rejected claim 71 under 35 U.S.C. §102(b) as being anticipated by Lemelson (4,217,037). According to the Examiner, the limitations in claim 71 are shown in Lemelson’s Figs. 1-6, columns 2-4. According to the Examiner, Lemelson discloses an auxiliary clip-on assembly comprising: a single member lens 41 possessing a front vertical surface and a rear vertical surface; a plurality of end piece retainers 44; and a plurality of fasteners wherein said plurality of end piece retainers 44 are mounted on said rear surface of said single member lens and said fasteners are mounted on said front surface of said single member lens and wherein said fasteners couple said end piece retainers to said lens by penetrating said lens.

**RESPONSE**

With respect to Lemelson, the retaining means for the eye protection unit of Lemelson, the L-shaped fittings 27, 37, and 44, do not resemble the end piece retainers 10 of the auxiliary clip-on assembly which grip the primary spectacle frame of the present invention. As the end piece retainers contact the primary spectacle frame from the top and bottom and the eyerims or end pieces, rather than merely resting on the top of the primary spectacle frame as in Lemelson. This differing attachment device, the end piece retainers, and corresponding differing attaching means clearly distinguishes the present invention from Lemelson.

**8. *Claim Rejections – 35 U.S.C. §102***

The Examiner rejected claim3 79-91 under 35 U.S.C. §102(e) as being anticipated by Ifergan (6,811,254). According to the Examiner, the limitations in claims 79-91 are shown in Ifergan's Figs. 1-22, columns 2-6. According to the Examiner, Ifergan discloses an auxiliary clip-on assembly comprising: an auxiliary frame for housing a pair of lenses; a first and a second end piece retainer, said first and second end piece retainers each comprising a vertically disposed member attached to said auxiliary frame and a first and second horizontally disposed members attached to said vertically disposed member.

**RESPONSE**

In response, the Applicant hereby incorporates the Applicant's preliminary statements regarding the present invention. With respect to Ifergan, Ifergan relies on magnetic members for the engagement of the primary and auxiliary frames. In contrast, the auxiliary clip-on assembly of the present invention is not equipped with magnetic members – rather, the auxiliary clip-on assembly is equipped with end piece retainers for secure attachment to the primary spectacle

frame. The present invention specifically relates to non-magnetic primary and auxiliary frames. The primary frame is not equipped with any special features, such as magnets, to engage with the auxiliary clip-on assembly. The primary spectacle frame of the present invention must only be constructed such that the primary spectacle frame includes end pieces 4 and eyerims 2 for attachment with the auxiliary slip-on assembly. The present invention is clearly distinguished from Ifergan.

***Claim Rejections – 35 U.S.C. §102***

The Examiner rejected claims 92 and 93 under 35 U.S.C. §102(b) as being anticipated by Xiao. According to the Examiner, the limitations in claims 92 and 93 are shown in Xiao's Figs. 1-3, columns 3-4. According to the Examiner, Xiao discloses an eyeglass device comprising: a primary frame 10 for supporting primary lenses 121, 122 therein; the primary frame including two side portions 13, 14, a front portion and a rear portion; and the primary frame including a first and a second rimblock 17, 18 respectively having a horizontal surface and being secured to one of said side portions of said primary spectacle frame; and an auxiliary frame 20 for supporting auxiliary lenses 201, 202 therein and for disposing in front of the primary spectacle frame 10, the auxiliary spectacle frame 20 including an auxiliary rear portion, wherein the auxiliary spectacle frame further includes two end piece retainers 22, 23 each secured to said auxiliary rear portions and having a horizontal surface for coupling a corresponding horizontal surface of one of said rimblocks so as to secure the auxiliary frame to the primary frame.

**RESPONSE**

In response, the Applicant hereby incorporates the Applicant's preliminary statements regarding the present invention. With respect to Xiao specifically, Xiao relates to a primary

spectacle frame equipped with frame lockers made of magnetic attractable material. The Xiao primary spectacle frame must be equipped with special components, such as the frame lockers, for attachment with the auxiliary frame. The Xiao primary and auxiliary spectacle frames rely on magnetic attraction for engagement. On the other hand, the present invention specifically relates to non-magnetic primary and auxiliary frames. The primary frame is not equipped with any special features, such as frame lockers, to engage with the auxiliary clip-on assembly. The primary spectacle frame of the present invention must only be constructed such that the primary spectacle frame includes end pieces 4 and eyerims 2 for attachment with the auxiliary slip-on assembly. The present invention is clearly distinguished from Xiao.

### ***Claim Rejections – 35 U.S.C. §103***

The Examiner rejected claims 3, 4, 6, and 7 under 35 U.S.C. 103(a) as being unpatentable over Xiao. According to the Examiner, regarding claims 3 and 4 since one material has properties better than another material, it would have been obvious to a worker having general skill in this art to select a known material on the basis of its suitability for intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Further, according to the Examiner, regarding claims 6 and 7, the optical properties of the lenses in a pair of spectacle depend on the needs of the user such as prescription lenses or sunglass lenses which are well known and commonly used in this art. Therefore, according to the Examiner, the limitations in claims 6 and 7 are unpatentable over Xiao reference.

### **RESPONSE**

In response, the Applicant hereby incorporates the Applicant's preliminary statements regarding the present invention. With respect to Xiao specifically, Xiao relates to a primary

spectacle frame equipped with frame lockers made of magnetic attractable material. The Xiao primary spectacle frame must be equipped with special components, such as the frame lockers, for attachment with the auxiliary frame. The Xiao primary and auxiliary spectacle frames rely on magnetic attraction for engagement. On the other hand, the present invention specifically relates to non-magnetic primary and auxiliary frames. The primary frame is not equipped with any special features, such as frame lockers, to engage with the auxiliary clip-on assembly. The primary spectacle frame of the present invention must only be constructed such that the primary spectacle frame includes end pieces 4 and eyerims 2 for attachment with the auxiliary slip-on assembly. The present invention is clearly distinguished from Xiao.

### ***Claim Rejections – 35 U.S.C. §103***

The Examiner rejected claims 14, 24, 25, 28, 29, 31 under 35 U.S.C. 103(a) as being unpatentable over Martin. According to the Examiner, regarding claims 14, 24, and 25 since one material has properties better than another material, it would have been obvious to a worker having general skill in this art to select a known material on the basis of its suitability for intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Further, according to the Examiner, regarding claims 21 and 22, absence showing the new or unobvious results and the reasons why the first and second end piece retainers affixed to the auxiliary frame by screws or adhesive means, it would have been an obvious engineering choice to select screws or adhesive means to affix the first and second end piece retainers to the auxiliary frame.

Moreover, according to the Examiner, regarding claims 28, 29, and 31, although the Martin device does not teach the shape and size of the auxiliary clip-on assembly being

difference from those of the primary spectacle frame as that claimed by applicant, the shape, size, dimension differences are considered obvious choices and are not patentable unless unexpected results are obtained from these changes. Therefore, it would have been obvious to a person having ordinary skill in this art to modify the Martin reference by forming an auxiliary clip-on assembly being different from the primary spectacle frame in shape and size. Such a modification would have no functional differences from the Marin reference.

## **RESPONSE**

In response, the Applicant hereby incorporates the Applicant's preliminary statements regarding the present invention. With respect to Martin specifically, Martin relies on clips to grasp the eyerims or bridge. The Martin device relies on a total of three clips in order to function and can only be functional when the primary frame has a small enough bridge. The Martin device will not function if the bridge of the primary spectacle frame is at the level of the top rims (higher than the two outer clips) as in the case of many contemporary frames. If that is the case, the clip will just fall off and the primary and auxiliary will not be engaged. In addition, the Martin clips further require a perfect match. The Martin invention is further limited to metal frames. On the other hand, with respect to the present invention, the present invention does not rely on outdated means such as clips to secure the primary and auxiliary frames. Further, Martin is contradictory. The patent both indicates engagement "without the need for tensioning" and yet references a "third tensioning clip." The present invention is clearly distinguished from Martin.

### ***Claim Rejections – 35 U.S.C. §103***

The Examiner rejected claims 17-19 under 35 U.S.C. 103(a) as being unpatentable over Sadler. According to the Examiner, absence in showing the new or unobvious results and the

reasons why the first and second end piece retainers affixed to the auxiliary frame by screws or adhesive means, it would have been an obvious engineering choice to select screws or adhesive means to affix the first and second end piece retainers to the auxiliary frame.

## **RESPONSE**

In response, the Applicant hereby incorporates the Applicant's preliminary statements regarding the present invention. With respect to Sadler, Sadler utilizes magnets on both the primary and auxiliary frames for engagement. On the other hand, the present invention specifically relates to non-magnetic primary and auxiliary frames. The primary frame is not equipped with any special features, such as magnetic members, to engage with the auxiliary clip-on assembly. The primary spectacle frame of the present invention must only be constructed such that the primary spectacle frame includes end pieces 4 and eyerims 2 for attachment with the auxiliary slip-on assembly. The present invention is clearly distinguished from Sadler.

### ***Claim Rejections – 35 U.S.C. §103***

The Examiner rejected claims 66-70 under 35 U.S.C. 103(a) as being unpatentable over Huang. According to the Examiner, it should be noted that although claims 66-70 are "method claims," the method steps consist of the broad steps of "attaching" and "applying," and therefore these steps would be inherently satisfied by the apparatus of the reference.

## **RESPONSE**

In response, the Applicant hereby incorporates the Applicant's preliminary statements regarding the present invention. With respect to Huang, the auxiliary frame is described as a one cast piece which is very limiting. Further, Huang embodies "hooks" to fit into the recessed notches in the primary frame. Moreover, due to the attachment requirements, the Huang

invention will not work in the case of round wire type temples which are about one millimeter in diameter. In the Huang invention, repeated attachment and detachment will mar and/or scratch the sides of the primary spectacle frame where the hooks slide against it to fit into the notches. The Huang invention is further limited due to the fact that the Huang invention does not allow for an auxiliary frame that is larger in width than the primary frame width.

On the other hand, the present invention requires no modification of the usual and customary primary frame – such as the presence of recessed notches in the primary frame of Huang. Further, the end piece retainers of the auxiliary frame will not damage the primary frame unlike the Huang invention. The primary frame of the present invention can accommodate auxiliary frames which are larger than the primary frame. The present invention is clearly distinguished from Huang.

#### ***Claim Rejections – 35 U.S.C. §103***

The Examiner rejected claim 78 under 35 U.S.C. 103(a) as being unpatentable over Lemelson. According to the Examiner, the optical properties of the lenses in a pair of spectacles depends on the needs of the user such as polarized lenses which are well known and commonly used in this art. Therefore, the limitations in claim 78 are unpatentable over the Lemelson reference.

#### **RESPONSE**

In response, the Applicant hereby incorporates the Applicant's preliminary statements regarding the present invention. With respect to Lemelson, the L-shaped fittings 27, 37, and 44, do not resemble the end piece retainers 10 of the auxiliary clip-on assembly which grip the primary spectacle frame of the present invention and thus, the L-shaped retainers do not operate

in the same manner as the instant invention. The end piece retainers in the instant invention attach to the primary spectacle frame from the top and bottom and the eyerims or end pieces, rather than merely resting on the top of the primary spectacle frame as in Lemelson. This differing attachment device, the end piece retainers, and corresponding differing attaching means clearly distinguishes the present invention from Lemelson.

***Allowable Subject Matter***

The Examiner has indicated that claims 72-77 would be allowable if re-written.

**RESPONSE**

In light of Applicant's responsive arguments with respect to the rejection of claim 71, Applicant has not re-written claims 72-77 at this time.

**CONCLUSION**

Reconsideration and further examination is respectfully requested.

A three month extension of time is required to file this response, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. The Commissioner is hereby authorized to charge the amount of \$510 and the filing fee for the RCE of \$395 to Deposit Account No. 12-0115. Further, the Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 12-0115.

Applicant has made a diligent effort to place the new claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully

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requested that the Examiner telephone Gary E. Lambert, Applicant's Attorney at (617) 720-0091 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

6-6-06  
Date

  
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